

## **Minutes Neighborhood Advisory Commission Meeting October 1, 2003**

**Minutes of the Neighborhood Advisory Commission (NAC) held on October 1, 2003, 5:30 p.m. at City Hall, 3<sup>rd</sup> floor Executive Conference Room, 31 E. 5<sup>th</sup> Street, Tempe, Arizona.**

**(MEMBERS) Present:** Julie Collins-Conway; Martha Cronin; Dale Despain; Mary Ann Dillon Roy Hoyt; Susan Knudson; Brian Lonergan; Jim Newell; Alex Podressoff; Leticia Rodarte; Mare Schumacher; Margaret Stout; Ruth Yabes

**(MEMBERS) Excused Absence:** Marcie Greenberg; Monica Kast; Helen Stern; Carol Valentine.

**(MEMBERS) Unexcused Absence:**

**City Staff Present:** Maryanne Corder; Shauna Warner; Julia Bennett, Sanitation Superintendent, 480-350-8129; Oliver Ncube, Deputy Public Works Manager, Field Services, 480-350-8267; Oscar Molina, Assistant City Attorney, 480-350-8613.

**Guests Present:**

### **Agenda Item 1 – Call to Order**

Vice Chair Cronin called the meeting to order at 5:30 p.m.

### **Agenda Item 4 – Solid Waste Codes Revision**

This item was discussed out of order due to the lack of a quorum to approve the minutes. Oscar Molina indicated that the major thrust of these proposed changes was to give City Field Services staff citation authority, which is currently not the case.

- Section 28-13 states that 3 violations in one year would constitute a criminal misdemeanor (comparable to what is being done in other cities).
- Section 28-11B reflects the intent to educate the public regarding changes so that citation would be used as a last resort.
- With passage of this revision, it would no longer be necessary to call the police for enforcement of violations.
- Section 28-51D is a major change as it stipulates that uncontained trash can only be placed out (in alley or on street) 10 days before the designated uncontained trash pickup day/week.

In the discussion that followed, commissioners raised the following points:

- I have experienced placing uncontained trash on the assigned Monday and noted that no refuse crew performed a pickup that day.  
Staff: the “1<sup>st</sup>” Monday schedule does not refer to that specific day but to that entire workweek. Residents can expect pickup on any of the 5 days of that given week since crews need time to work their way through neighborhoods.
- There is no need for these restrictions as many residents, especially tenants, are unaware of the pickup schedules.
- There is a need for restrictions since people dump items in alleys for extended periods of time causing a fire hazard.
- Restrictions are needed in neighborhoods with curbside pickup because accumulated uncontained trash, left out for an extended period, makes the neighborhood look unsightly and is often “kicked around” by the kids.

- These restrictions will limit our ability to place refuse in our alleys causing us to place them in our yards which will cause Code Compliance to cite us  
Staff: We will check for any conflict with Nuisance Code
- Someone else's dumping in an alley could cause the adjacent property owner to be held responsible and be cited
- Would it be possible to have these crews come by more frequently – more than once a month?  
Staff: You would have to ask Council for twice-monthly pickup ; is cost prohibitive
- There will need to be a public education process for these changes;
- The leaving of Christmas trees as uncontained trash can be a problem
- What if a resident calls the City to report a neighbor's uncontained trash (left out too long)? At what point does that 10-day rule begin?  
Staff: It begins at point of contact; however, we'll check the language for clarity

### **Agenda Item 3 – Public Comment**

There was none.

### **Agenda Item 2 – Consideration of Retreat Minutes: September 6, 2003**

Vice Chair Cronin called for approval of the retreat minutes September 6, 2003. Commissioner Schumacher noted a need for correction to the NAC comments, page 3, Item 1 indicating the response to the question regarding zoning ordinance being printed in Spanish. Commissioner Knudson moved that the minutes be approved with correction. Commissioner Despain seconded. The corrected minutes were approved unanimously

### **Agenda Item 5 – NAC Recommendations - Zoning Ordinance Rewrite, Section 6-304 Specific Area Plan and General Plan 2030, Neighborhood Element and Land Use Element**

Vice-Chair Cronin reminded the commissioners that Fred Brittingham had requested (at the Sept. 6 NAC retreat) that any comments be sent to him for entry in the first staff summary of public comments. During the ensuing discussion of the linkage between the General Plan 2030 and the Zoning Ordinance rewrite, it was determined that the draft comments needed to be revisited by the Planning Committee under the direction of Commissioner Yabes. It was agreed that NAC commissioners should also seek out advice from City planning and legal staff prior to making its formal recommendation. A planning committee meeting was scheduled for October 22, 2003 at 5:30 p.m. – place to be determined. Concern was expressed regarding timeline for public comments. Shauna Warner provided the following information:

<u>General Plan 2030 Schedule</u>		<u>Zoning Ordinance Schedule</u>	
9/23/03	Planning & Zoning Comm. 1 <sup>st</sup> hearing	11/12/03	Planning & Zoning Comm. 1 <sup>st</sup> hg.
10/14/03	P & Z 2 <sup>nd</sup> hg	12/09/03	P & Z 2 <sup>nd</sup> hg.
10/28/03	P & Z 3 <sup>rd</sup> hg.		COUNCIL hgs. – to be determined
10/16/03	COUNCIL mtg. introduction		
11/06/03	Council mtg. 1 <sup>st</sup> public hg.		
11/13/03	Council mtg. 2 <sup>nd</sup> public hg.		
12/04/03	Council mtg. 3 <sup>rd</sup> public hg.		
Election May 2004			

Commissioner Yabes made a motion to submit the following statement to Planning staff, relevant Boards and Commissions and Council, "The Neighborhood Advisory Commission (NAC) seeks clarification about the nature and scope of a Specific Area Plan (SAP) and its relationship to the General Plan and/or the Zoning Ordinance. Once these issues are clarified, NAC will provide a detailed statement (for Council, staff and relevant Boards and Commissions) on both the General Plan and the Zoning Ordinance after the NAC November 5, 2003 meeting." Commissioner Stout seconded the motion, which was approved unanimously.

### **Agenda Item 6 – Update on NAC Letter re Revival of Northwest Tempe Specific Area Plan, Revival of Citywide Neighborhood Planning**

Vice-Chair Cronin gave a brief update on meetings Chairperson Helen Stern and she had held with Mayor Giuliano, Vice-Mayor Carter and Councilmembers Mitchell, Cahill and Goronkin. They plan to meet with Councilmembers Arredondo and Copple within the month. Maryanne Corder distributed the September 15<sup>th</sup> agenda item from the Neighborhood Enhancement and People Improvement Program (NEPIP) Council Committee. She reported that Councilmembers Cahill and Arredondo had directed staff to take the 3<sup>rd</sup> option to a Council Issue Review session. The 3<sup>rd</sup> option states: *"Hire a consultant to design a neighborhood plan for a specific neighborhood and use that planning process as a template for other neighborhoods. One possible area that could be studied is the Northwest Tempe area that underwent an uncompleted planning process."* Also stated in the memo and concurred upon by the Committee members was the statement: *"involve the Neighborhood Advisory Commission (NAC) to provide input and guidance on how a neighborhood planning process should be developed and/or criteria for hiring either a consultant or staff person. Either the Development Services Department or the Neighborhood Services Division could oversee a consultant or neighborhood planning staff person."* Staff stated that the IRS date had not yet been set but would inform NAC members when this was determined.

#### **Agenda Item 7 – Committee Goals and Reports**

##### **A. Neighbor of the Year Award**

Commissioner Dillon recommended that option 2 be selected which stated, *"Award to be presented annually at the Martin Luther King, Jr. "Together We're Better" brunch as part of the existing Diversity Awards Program."* The selection process is to be as follows:

- Any City resident may nominate another resident for this award
- Working with the Human Relations Commission (HRC), a NAC committee (of at least 3 commissioners) would choose selected recipients.
- Criteria would measure the nominee's significant contribution to building neighborhood/community in line with MLK's teachings.
- Neighborhood staff would help Diversity staff handle publicity and processing
- This would take place the 2<sup>nd</sup> or 3<sup>rd</sup> week of January
- Creation of this partnership would have to be approved by the HRC at their October 14, 2003 meeting.

Commissioner Dillon moved for acceptance of this option; the motion was seconded by Commissioner Knudson and was approved unanimously.

#### **Agenda Item 8 - Items for November Agenda**

- Discussion and creation of NAC statement regarding the Specific Area Plan (SAP) requirements for insertion into the General Plan 2030 and Zoning Ordinance
- Discussion of public process for General Plan 2030
- Review of Neighborhood Leadership Academy Curriculum for 2004
- Report from commissioners taking tour with Historic Preservation Commission Oct. 11

#### **Agenda Item 9 - Adjournment**

Meeting was adjourned at 7:05 p.m.

Prepared by:

Maryanne Corder, Neighborhood Services Division Director

Reviewed by:

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Martha Cronin, Neighborhood Advisory Commission Vice Chair